

DOCKET NO.: CELL-0086



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

John Robert Porter, et al.

Serial No.: 09/450,999

Group Art Unit: 1624

Filing Date: November 29, 1999

Examiner: B. Jayaram

For: B-ALANINE DERIVATIVES

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DATE OF DEPOSIT: 1/22/01

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME: Gregory L. Hillyer
REGISTRATION NO.: 44,154

Assistant Commissioner for Patents
Washington DC 20231

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- ☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required, or before the mailing date of a first office action after the filing of request for continued examination under §1.114.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission therefore:

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☐ Certification in Accordance with §1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in §1.17(p) is attached.

- ☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:

☒ Certification in Accordance with §1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in §1.17(p) is attached.

- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).

- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references **[list as appropriate]**, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ In accordance with §1.98(d), copies of the following references listed on

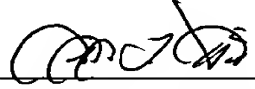
the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
This form is submitted in duplicate.

Attached is a copy of the PCT International Search Report dated November 8, 2000, which indicates the documents considered to be relevant.

Date: 1/22/01



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Dear Sir:


CERTIFICATION UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

- ☒ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information

disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

Date: 1/22/01



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